

# Exhibit JJ

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87884481
LAW OFFICE ASSIGNED	LAW OFFICE 125
MARK SECTION	
MARK FILE NAME	https://tmng-al.uspto.gov/resting2/api/img/87884481/large
LITERAL ELEMENT	IMPOSSIBLE
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
COLOR(S) CLAIMED (If applicable)	Color is not claimed as a feature of the mark.
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of an animation depicting a strikethrough line through the word IMPOSSIBLE.
GOODS AND/OR SERVICES SECTION (025)(current)	
INTERNATIONAL CLASS	025
DESCRIPTION	clothing and performance apparel, namely, t-shirts, sweatshirts, pants, shorts, tank tips, yoga pants, tights and underwear
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 05/29/2012
FIRST USE IN COMMERCE DATE	At least as early as 05/29/2012
GOODS AND/OR SERVICES SECTION (025)(proposed)	
INTERNATIONAL CLASS	025
DESCRIPTION	clothing and performance apparel, namely, t-shirts, sweatshirts, pants, shorts, tank tips, yoga pants, tights and underwear
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 05/29/2012
FIRST USE IN COMMERCE DATE	At least as early as 05/29/2012
STATEMENT TYPE	"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].
SPECIMEN FILE NAME(S)	

ORIGINAL PDF FILE	<a href="#">SPU0-1622221524-20190510104307986632 . Impossible motion cl25.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\EXPORT17\IMAGEOUT17\878\844\87884481\xml5\ROA0002.JPG</a>
SPECIMEN DESCRIPTION	the previously submitted specimen included use of the motion mark together with a means for purchasing the products at ImpossibleHQ.com; the additional specimen included herewith depicts the landing page for the prior reference including a means for completing the purchase.
<b>GOODS AND/OR SERVICES SECTION (041)(current)</b>	
INTERNATIONAL CLASS	041
DESCRIPTION	
Providing a website featuring information in the field of personal fitness, nutrition, endurance athletics, storytelling, adventure activities, and self-improvement	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 05/29/2012
FIRST USE IN COMMERCE DATE	At least as early as 05/29/2012
<b>GOODS AND/OR SERVICES SECTION (041)(proposed)</b>	
INTERNATIONAL CLASS	041
TRACKED TEXT DESCRIPTION	
<del>Providing a website featuring information in the field of personal fitness, nutrition, endurance athletics, storytelling, adventure activities, and self-improvement;</del> <a href="#">Providing a website featuring information in the field of personal fitness, endurance athletics, storytelling and adventure recreational activities</a>	
FINAL DESCRIPTION	
Providing a website featuring information in the field of personal fitness, endurance athletics, storytelling and adventure recreational activities	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 05/29/2012
FIRST USE IN COMMERCE DATE	At least as early as 05/29/2012
<b>ADDITIONAL STATEMENTS SECTION</b>	
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of a motion mark. The mark consists of the wording "IMPOSSIBLE" with a shading band that moves horizontally from the left through the middle of the wording until the band covers the middle of the entire word "IMPOSSIBLE".
<b>SIGNATURE SECTION</b>	
DECLARATION SIGNATURE	/David E. Weslow/
SIGNATORY'S NAME	David E. Weslow
SIGNATORY'S POSITION	Attorney of record, DC and MD bar member
SIGNATORY'S PHONE NUMBER	2027197000
DATE SIGNED	05/10/2019
RESPONSE SIGNATURE	/David E. Weslow/
SIGNATORY'S NAME	David E. Weslow
SIGNATORY'S POSITION	Attorney for applicant, DC and MD bar member
SIGNATORY'S PHONE NUMBER	2027197000
DATE SIGNED	05/10/2019

AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri May 10 10:53:34 EDT 2019
TEAS STAMP	USPTO/ROA-XXX.XXX.XXX.X-2 0190510105334437627-87884 481-620fdbc16251eccaef17 ddfc38313d24f485835be0719 872a95d67e5391b1b3ecd-N/A -N/A-20190510104307986632

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PTO Form 1957 (Rev 10/2011)

OMB No. 0651-0050 (Exp 09/20/2020)

## Response to Office Action

### To the Commissioner for Trademarks:

Application serial no. **87884481** IMPOSSIBLE (Stylized and/or with Design, see <https://tmng-al.uspto.gov/resting2/api/img/87884481/large>) has been amended as follows:

#### CLASSIFICATION AND LISTING OF GOODS/SERVICES

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 025 for clothing and performance apparel, namely, t-shirts, sweatshirts, pants, shorts, tank tops, yoga pants, tights and underwear  
Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 05/29/2012 and first used in commerce at least as early as 05/29/2012 , and is now in use in such commerce.

**Proposed:** Class 025 for clothing and performance apparel, namely, t-shirts, sweatshirts, pants, shorts, tank tops, yoga pants, tights and underwear

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 05/29/2012 and first used in commerce at least as early as 05/29/2012 , and is now in use in such commerce.

Applicant hereby submits one(or more) specimen(s) for Class 025 . The specimen(s) submitted consists of the previously submitted specimen included use of the motion mark together with a means for purchasing the products at ImpossibleHQ.com; the additional specimen included herewith depicts the landing page for the prior reference including a means for completing the purchase. .

"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"[for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use]. OR "The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use" [for an illegible specimen].

**Original PDF file:**

[SPU0-1622221524-20190510104307986632 . Impossible motion cl25.pdf](#)

**Converted PDF file(s) ( 1 page)**

[Specimen File1](#)

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 041 for Providing a website featuring information in the field of personal fitness, nutrition, endurance athletics, storytelling, adventure activities, and self-improvement

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 05/29/2012 and first used in commerce at least as early as 05/29/2012 , and is now in use in such commerce.

**Proposed:**

**Tracked Text Description:** ~~Providing a website featuring information in the field of personal fitness, nutrition, endurance athletics, storytelling, adventure activities, and self-improvement;~~ Providing a website featuring information in the field of personal fitness, endurance athletics, storytelling and adventure recreational activities

Class 041 for Providing a website featuring information in the field of personal fitness, endurance athletics, storytelling and adventure recreational activities

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 05/29/2012 and first used in commerce at least as early as 05/29/2012 , and is now in use in such commerce.

#### **ADDITIONAL STATEMENTS**

##### **Description of mark**

The mark consists of a motion mark. The mark consists of the wording "IMPOSSIBLE" with a shading band that moves horizontally from the left through the middle of the wording until the band covers the middle of the entire word "IMPOSSIBLE."

##### **SIGNATURE(S)**

##### **Declaration Signature**

**DECLARATION:** The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or allegation of use (AOU) unsigned, all statements in the application or AOU and this submission based on the signatory's own knowledge are true, and all statements in the application or AOU and this submission made on information and belief are believed to be true.

**STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AOU:** If the applicant filed an unsigned application under 15 U.S.C. § 1051(a) or AOU under 15 U.S.C. § 1051(c), the signatory additionally believes that: the applicant is the owner of the mark sought to be registered; the mark is in use in commerce and was in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; ***for a collective trademark, collective service mark, collective membership mark application, or certification mark application***, the applicant is exercising legitimate control over the use of the mark in commerce and was exercising legitimate control over the use of the mark in commerce as of the filing date of the application or AOU; ***for a certification mark application***, the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

##### **STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION AND FOR SECTION 66(a)**

**COLLECTIVE/CERTIFICATION MARK APPLICATION:** If the applicant filed an unsigned application under 15 U.S.C. §§ 1051(b), 1126(d), and/or 1126(e), or filed a collective/certification mark application under 15 U.S.C. § 1141f(a), the signatory additionally believes that: ***for a trademark or service mark application***, the applicant is entitled to use the mark in commerce on or in connection with the goods/services specified in the application; the applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date; ***for a collective trademark, collective service mark, collective membership mark, or certification mark application***, the applicant has a bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce and had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce as of the application filing date; the signatory is properly authorized to execute the declaration on behalf of the applicant; ***for a certification mark application***, the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

Signature: /David E. Weslow/ Date: 05/10/2019

Signatory's Name: David E. Weslow

Signatory's Position: Attorney of record, DC and MD bar member

Signatory's Phone Number: 2027197000

**Response Signature**

Signature: /David E. Weslow/ Date: 05/10/2019

Signatory's Name: David E. Weslow

Signatory's Position: Attorney for applicant, DC and MD bar member

Signatory's Phone Number: 2027197000

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 87884481

Internet Transmission Date: Fri May 10 10:53:34 EDT 2019

TEAS Stamp: USPTO/ROA-XXX.XXX.XXX.X-2019051010533443

7627-87884481-620fdcbc16251eccaef17ddfc3

8313d24f485835be0719872a95d67e5391b1b3ec

d-N/A-N/A-20190510104307986632

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## IMPOSSIBLE Impossible Shirt Blue

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Color

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Quantity

1

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